

## CHAPTER 51. ISSUE A CERTIFICATE OF WAIVER OR AUTHORIZATION: 14 CFR PART 91, SECTION 91.119(B) and/or (C) (MINIMUM SAFE ALTITUDES)

### SECTION 1. BACKGROUND

#### 1. PROGRAM TRACKING AND REPORTING SUBSYSTEM (PTRS) ACTIVITY CODE: 1230

**3. OBJECTIVE.** The objective of this task is to determine whether or not an applicant is eligible for the issuance of a certificate of waiver of Title 14 of the Code of Federal Regulations (14 CFR) part 91, § 91.119(b) and/or (c) (Minimum Safe Altitudes). Successful completion of this task results in the issuance of a Certificate of Waiver or Authorization, or the disapproval of an application.

#### 5. BACKGROUND.

##### *A. Definitions.*

(1) *Congested and Densely Populated Areas.* Refer to volume 2, chapter 102, Evaluate a FAR Part 133 Congested Area Plan (CAP).

(2) *Pipeline/Powerline Patrol.* Operation of an aircraft in order to locate leaks or breaks in a pipeline or powerline.

(3) *In the Public Interest.* Operations conducted by Federal, state, and local governments; by private law enforcement operators; or for the purpose of conservation, wildlife preservation, or pipeline or powerline patrols.

*B. Authority.* Part 91 provides for the issuance of a waiver to § 91.119(b) and/or (c). Part 91 also provides for the issuance of a waiver to § 91.313(e) if the applicant is to perform limited operations with restricted category aircraft. Refer to volume 2, chapter 47, Issue a Certificate of Waiver for Restricted Category Civil Aircraft.

*C. Examples.* Examples of waivers of § 91.119(b) and/or (c), Minimum Safe Altitudes, are pipeline/powerline patrol, low-level thermography flights, and flights by foreign operators under the North American Free Trade Agreement (NAFTA).

*D. Regulations That May Not be Waived.* Section 91.119(a) and (d) shall not be waived.

*E. History of the Waiver.* Except for a minor amendment to provide relief to recognize the unique capabilities of helicopters, minimum safe altitudes have remained unchanged. These rules were specifically written to safeguard life and property on the surface, with the highest priority placed upon the protection of human life. The Federal Aviation Administration (FAA) recognizes that certain operations justify waiving the 1,000-foot minimum over congested areas and/or 500-foot minimum separation distance from persons or property on the surface.

*F. Eligibility.* Operators of either standard, limited, or restricted category aircraft may apply for a certificate of waiver to engage in pipeline/powerline patrol operations. Operators of restricted category aircraft may also require a waiver of § 91.313(e) if operations will require flight over congested areas. Refer to volume 2, chapter 47.

*G. Forms Used.* FAA Form 7711-2, Application for a Certificate of Waiver or Authorization (figure 51-1), is a multipurpose form used to apply for FAA Form 7711-1, Certificate of Waiver or Authorization (figure 51-2). All items on the form may not be applicable to the application request.

*H. Submission.* The completion and submission of FAA Form 7711-2 is the sole responsibility of the applicant. A completed FAA Form 7711-2 should be submitted to the Flight Standards District Office (FSDO) in whose jurisdiction the applicant plans to conduct the operation a minimum of 45 days before the planned operation begins. If the request involves operations in more than one FSDO's area of jurisdiction, the application should be submitted to the FSDO in the area of the applicant's principal business office.

*I. Approval or Denial.* Within 30 days of receipt of FAA Form 7711-2, an approved FAA Form 7711-1 or the disapproval of the application must be issued by the FSDO. Once approved, FAA Form 7711-2 becomes a part of FAA Form 7711-1. The district

office manager, or a designated representative, shall sign the waiver upon approval.

*J. Expiration Date.* An FAA Form 7711-1 shall expire not later than 24 calendar-months from the date of issuance. A certificate of waiver may be reissued after the submission of a properly prepared FAA Form 7711-2 and, if appropriate, the applicant's previously approved operations manual. For NAFTA operations, the expiration date will be a maximum of 12 calendar-months from the date of issuance.

## 7. WAIVER OF § 91.119(B).

*A. Inspector Considerations.* There are three basic points that an inspector should consider before processing a request for a waiver of § 91.119(b):

- (1) Is the waiver request in the public interest?
- (2) Can the operation be conducted with an equivalent level of safety?
- (3) What special provisions are necessary to ensure this adequate safety margin?

*B. Evaluation of the Application.* The applicant should describe in detail the proposed operation and specify the altitude essential to accomplish the operation. When issuing the waiver, the altitude requested should be an absolute minimum but may not be less than 500 feet from persons or property unless necessary to safeguard human life (see paragraph 9). Operations involving flights in airspace requiring two-way communication will be coordinated with the appropriate air traffic facility. If operations will involve towing, refer to volume 2, chapter 45, Issue a Certificate of Waiver or Authorization: FAR § 91.311 (Banner Towing).

*C. Special Provisions.* For clarity, special provision guidelines are divided into single-engine and multiengine operations.

(1) *Single-engine Aircraft.* The minimum altitude permitted in the waiver must provide for compliance with § 91.119(a). This may be accomplished by requiring specific routes and altitudes as necessary to ensure the aircraft could reach a safe landing area in the event of engine failure. If specific routes and altitudes are used, they should be depicted on a chart. The waiver should be limited to day visual flight rules (VFR) operations only.

(2) *Multiengine Aircraft.* If the aircraft is operated at weights that will allow it to climb with the critical engine inoperative consistent with terrain but not less than 50 feet per minute, specific routes and altitudes need not be required. Waivers may authorize day and night VFR.

## 9. WAIVER OF § 91.119(C).

### *A. 500-Foot Minimum Separation Distance.*

Unless it is necessary to safeguard human life or it can be determined to be in the public interest and contributing to the public health, welfare, and safety, the 500-foot minimum separation distance from persons on the surface shall not be waived. Issuance of waivers to safeguard human life are discussed in paragraph B below. Issuance of waivers determined to be in the public interest are discussed in paragraph C below.

*B. Waivers Issued To Safeguard Human Life.* For waivers issued to safeguard human life, the applicant should be required to identify a minimum altitude or proximity that will permit accomplishment of the operation. The minimum requested should be the absolute minimum permitted. In addition:

(1) *Single-engine Aircraft.* These aircraft should be prohibited from flying directly at or over persons on the surface and, when operating in close proximity to persons on the surface, it must always be possible to comply with § 91.119(a) without excessive maneuvering.

(2) *Multiengine Aircraft.* These aircraft should be limited to weights that will allow it to climb with the critical engine inoperative consistent with terrain but not less than 50 feet per minute. If this is not possible, the multiengine aircraft should be treated in the same manner as single-engine aircraft.

*C. Waivers Issued in the Public Interest.* Operators determined to be acting in the public interest may be authorized to operate closer than 500 feet, but in no case closer than 200 feet, to persons on the surface. Waivers issued in accordance with this paragraph require the development of an operations manual (see paragraphs 9F and 11).

*D. Special Provisions.* Depending upon the type of operation involved, it may be necessary to prescribe numerous and detailed special provisions. The following are special provisions which should be shown on every waiver issued under paragraph 9, along with any additional provisions considered necessary by the issuing FSDO:

(1) Operations are limited to VFR day only.

(2) Unless authorized by an accepted operations manual, intentional flight at less than 500 feet directly over persons on the surface is prohibited. In addition, the aircraft may not be flown along a path that would require excessive maneuvering to avoid persons on the surface in the event of an emergency.

(3) Unless authorized by an accepted operations manual, the terms of the waiver are limited to within one-quarter mile of the authorized route or operating area, except that no community will be overflown below 500 feet or at less than 1,000 feet over the congested areas of a city.

(4) Operations under this waiver are limited to the pilots listed on FAA Form 7711-2 or the accepted operations manual.

(5) In the event of an emergency (e.g., the known or suspected rupture of a gas pipeline, flood, storm, etc.) requiring immediate action, the waiver holder may use pilot personnel without compliance with either the initial or annual check requirements. However, within 7 days of the time this emergency authorization is exercised, the waiver holder will notify the FSDO responsible for issuing the waiver of such action.

(6) Except when necessary to safeguard human life, no operation will be conducted in closer proximity to persons on the surface than authorized by this waiver.

*E. Other Waivers of § 91.119(c).* A waiver for operations other than for the purpose of safeguarding human life or in the public interest should prohibit flight closer than 500 feet of any vessel, vehicle, or building on the surface unless the pilot takes reasonable action to determine that they are not occupied by persons at the time of the operation.

*F. Manual.* If § 91.119(c) is to be waived because it has been determined to be in the public interest (see paragraph 9C), the applicant must submit an original and one copy of an operations manual to the local FSDO for acceptance. Operating and safety procedures must be incorporated in the operations manual. Once accepted by the FSDO, the manual becomes a part of the special provisions. The manual is the standard by which a waiver holder must conduct all operations pursuant to the certificate of waiver. The controls, procedures, and conditions set forth in the operations manual are the primary assurance that persons on the surface will not be jeopardized and will become the basis for the issuance of the certificate of waiver. Therefore, failure to comply with the provisions of the manual shall be considered a violation of the terms of the waiver and may constitute justification for cancellation of the waiver.

*G. Manual Revisions.* Inspectors should encourage operators to discuss manual revisions with the FSDO before they are submitted for acceptance. Revisions should not be distributed by the operator until accepted by the FAA and returned to the operator with an indication of acceptance (signature and date). If the revisions

are not acceptable, notify the operator in writing within 10 days of receipt of the revisions at the FSDO.

**11. CONTENTS OF THE OPERATIONS MANUAL.** The manual must include, but is not limited to, the following:

*A. Title Page and Revision Page.* This is generally self explanatory, but volume 2, chapter 98, figure 98-1, contains typical examples.

*B. Company Organization.*

(1) Business name, address, and telephone number of applicant.

(2) If more than one pilot is to be used under the terms of this waiver, the applicant must designate a chief pilot.

*C. Pilots to be Used.* This section should contain a list of pilots to be used, including their pilot certificate numbers, grade, and class and date of medical.

*D. Aircraft to be Used.* This section should contain a list of aircraft by make and model.

*E. Operations Manual Distribution and Revision.* This section should contain:

(1) Procedures for distribution of the manual to all flight personnel.

(2) A system for revising the manual to ensure that all manuals are kept current. Revisions for an accepted manual should be forwarded to the FSDO at least 15 days before the proposed effective date.

(3) Procedures that describe how approved changes to the manual will be distributed to the pilots.

*F. Area of Operations.* There will be a wide variety of operational needs. Some can be identified as specific patrol routes, whereas others may involve open water or forest areas of an entire state. The following information should be provided, as appropriate.

(1) *Specific Routes (Powerline/Pipeline Rights of Way).* The manual must contain each route depicted in either cartographic or photographic form. The depiction must identify each community, settlement, stadium, or other common gathering place located within a quarter mile on either side of the route. The depiction should include additional information regarding the location of hazardous power or phone lines or other obstructions requiring altitudes in excess of the minimums prescribed in the waiver.

(2) *Large Area Routes.* Manuals developed by operators needing broad area authorization should clearly describe the land or water areas where the

privileges of the waiver are to be exercised. This may be in the form of a state map with operational areas depicted or a description of operational areas, i.e., open water areas and sparsely populated areas where wildlife preservation operations are to be conducted. It is especially important that the operator provide pilots with sufficient information to enable them to know when the privileges of the waiver apply and when they must be in full compliance with § 91.119(b) and (c).

*G. Flight Operations.* The operations manual will contain a flight operations section covering information necessary to ensure compliance with the waiver and include at least the following:

(1) *Weather Conditions.* Operations are limited to VFR.

(2) *Operations in Airspace Requiring Two-way Communication.* The terms of the waiver may not be exercised in airspace requiring two-way communication unless authorization for the flight has been obtained from the appropriate air traffic facility.

(3) *Operations Within 500 Feet of Persons.* Section 91.119(c) prohibits operations directly over persons on the surface at less than a 500-foot altitude. When operations at less than a 500-foot altitude or a 500-foot lateral clearance from persons are desired, procedures must be approved by the FAA that include approach and departure paths, emergency procedures to be used, and the pattern and altitude that will permit the aircraft, if single-engine, to land in an emergency without endangering persons or property on the surface. Additionally, the aircraft flight path must be such that it will not be necessary to pass directly over persons on the surface in the event of an emergency. The trajectory of the aircraft must pass to one side or the other of any persons on the surface.

(4) *Entry/Departure Paths.* All normal entry and departure paths to and from the waived flight paths will be charted and available to the pilot.

*H. Certification/Airworthiness.* The aircraft may be certificated in any category, except experimental and provisional, provided the requirements of §§ 91.7 and 91.203 are met. Procedures shall be included to ensure that inspections will be in accordance with 14 CFR parts 43 and 91.

*I. Pilot Personnel - Minimum Requirements.* The operator shall establish and specify the minimum pilot requirements. Minimum requirements should meet or exceed the following:

(1) a current commercial pilot certificate with ratings appropriate to the category and class aircraft to be used under the terms of the waiver;

(2) at least 500 hours as pilot-in-command (PIC) logged;

(3) a minimum of 100 hours in the category and class of aircraft to be used; and

(4) a minimum of 5 hours in the make and model aircraft to be used under the waiver.

*J. Initial Checkout.* The manual must provide that each pilot be route-qualified and have his or her logbook endorsed as such by a chief pilot. The endorsement must be made by the chief pilot, although another qualified pilot may give the initial checkout. In addition to route qualification, each pilot must satisfactorily demonstrate knowledge in the following:

(1) route familiarization;

(2) aircraft performance and limitations;

(3) emergency procedures;

(4) the operations manual; and

(5) terms and conditions of the waiver.

*K. Annual Check.* The chief pilot will examine each pilot at least once each 12 calendar-months. The examination will consist of an oral and practical test that covers the subject areas for the initial checkout.

*L. Pilot Notices.* The applicant must develop a procedure to notify all pilots of special circumstances such as the avoidance of noise-sensitive areas, changes of operating procedures, etc.

*M. Accident Notification.* The manual must contain procedures for notification and reporting accidents.

**13. REVIEW FAA FORM 7711-2.** Pertinent items are discussed below for purposes of clarity and uniformity. The application should be reviewed upon receipt for obvious discrepancies. The information submitted by the applicant on FAA Form 7711-2 MUST NOT be altered by the issuing office.

*A. Items 1 and 2.* If the applicant is a representative of an organization, the organization's name should appear in item 1. The name of the individual and his/her position or authority to represent the organization (e.g., the "responsible person") should appear in item 2. If the applicant is not representing others, the term "N/A" should be entered in item 1 and the applicant's name entered in item 2.

*B. Item 4.* In many instances the applicant does not know or is not sure which sections of the regulations are involved. A conference with the applicant before acceptance of the application may be necessary.

*C. Item 5.* It is sufficient for the applicant to use the terms "agricultural," "forest and wildlife," "aerial surveying," "patrolling," or "weather control," to describe the type of operation. However, the applicant should include detailed information on the type of operation.

*D. Item 6.* A detailed description of any city, town, county, and/or state over which operations will be conducted. For powerline/pipeline operations, the routes must be depicted in cartographic or photographic form. This depiction should include every community, settlement, stadium, or other common gathering place located either side of the route. The depiction should also include the areas where power-

lines and phone lines or any other obstructions cross the route.

*E. Item 7.* The applicant should list beginning and ending dates for the operation in this item. Cases involving one-time operations where the applicant has not indicated an alternate date, the inspector should advise the applicant to request alternate dates in order to save time and unnecessary paperwork.

*F. Item 8.* At the time the application for a waiver is submitted, the applicant may not know the names of the pilots or the aircraft to be used in a particular operation. The application may be accepted with a notation in item 8 that a list will be provided at a later, specified date.

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**[PAGES 51-7 THRU 51-10 RESERVED]**

## SECTION 2. PROCEDURES

### 1. PREREQUISITES AND COORDINATION REQUIREMENTS.

*A. Prerequisites.* This task requires knowledge of the regulatory requirements of part 91 and FAA policies and qualification as an aviation safety inspector (ASI) (operations).

*B. Coordination.* This task may require coordination with the airworthiness unit within the district office, other FSDO's, appropriate air traffic facilities, and the regional office.

### 3. REFERENCES, FORMS, AND JOB AIDS.

#### *A. References.*

- 14 CFR parts 1 and 61
- PTRS Procedures Manual (PPM)

#### *B. Forms.*

- FAA Form 7711-1 Certificate of Waiver or Authorization (figure 51-2)
- FAA Form 7711-2 Application for a Certificate of Waiver or Authorization (figure 51-1)
- FAA Form 8000-36, Program Tracking and Reporting Subsystem Data Sheet

#### *C. Job Aids.*

- Sample letters and figures

### 5. PROCEDURES.

#### *A. Initial Contact.*

(1) Provide the applicant with a copy of FAA Form 7711-2 (figure 51-1) and the Instructions for Completion of FAA Form 7711-2 (figure 51-3).

(2) Advise the applicant to complete items 1 through 8 and item 15 on FAA Form 7711-2.

(3) Advise the applicant that the completed FAA Form 7711-2 must be submitted in duplicate (the original and one copy) to the FSDO at least 45 days before planned operations begin.

(4) If § 91.119(c) is to be waived in the public interest:

(a) advise the applicant that any required operations manual must be prepared and submitted in duplicate (the original and one copy) with the completed FAA Form 7711-2; and

(b) provide the applicant with a copy of the Operations Manual Development Guide (figure 51-4).

*B. Program Tracking and Reporting Subsystem.* Make appropriate PTRS entries.

*C. Receipt of FAA Form 7711-2 and an Operations Manual, if required.* Using the Part 91 Job Aid (figure 51-8), the information provided by the applicant, and the background in section 1 of this chapter, review FAA Form 7711-2 for all pertinent information for the proposed operation. Accept strikeovers that are minor in nature and initialed by the applicant. Items 9 through 14 apply to airshow and air race waiver requests only.

(1) *Items 1 and 2, Name of Organization/Name of Responsible Person.* Ensure that the applicant has indicated the name of the organization or individual applying and the name of a person responsible for matters concerning the application.

(2) *Item 3, Permanent Mailing Address.* Ensure that the applicant indicates the permanent mailing address of the organization or individual named in item 1.

(3) *Item 4, FAR Sections to be Waived.* Ensure that the applicant has listed all sections of the regulations that need to be waived.

(4) *Item 5, Description of Operations.* Ensure that the applicant has indicated the type of operation to be conducted.

(5) *Item 6, Area of Operations.*

(a) Ensure that the applicant has listed specific locations and altitudes of the proposed operation.

(b) Ensure that the area of operation is within the jurisdiction of the district office.

(6) *Item 7, Time Period.*

(a) Ensure that the applicant has included a beginning date and hour and an ending date and hour for the planned operation.

(b) Ensure that the requested dates do not exceed 24 calendar-months.

(7) *Item 8, Aircraft and Pilots.* Check for aircraft make and model, pilot names, certificate numbers and ratings, and full home addresses. Item 8 may be accepted with a statement, "A list containing

aircraft and pilot information will be furnished on [applicant enters a specific date].”

(8) *Item 15, Certification.* Ensure that the applicant has signed and dated each page of the application.

(9) If FAA Form 7711-2 has not been completed:

(a) List the reasons for disapproval in the Remarks section of FAA Form 7711-2. Sign and date in the Action block of FAA Form 7711-2.

(b) Prepare a letter of disapproval of an application (figure 51-5) with a suspense date for submission of a corrected application.

(c) Retain a copy of FAA Form 7711-2 for future comparison.

(d) Return the application, the operations manual (if appropriate), any supporting documentation, and the letter of disapproval to the applicant.

(e) Make appropriate PTRS entries.

(10) If FAA Form 7711-2 has been completed, continue with the task.

*D. Enforcement Information Subsystem (EIS).* Consult the EIS database for the violation history of the applicant and/or pilots.

*E. Review the Proposed Operations Manual.* Review the operations manual to ensure that the manual contains the items discussed in section 1, paragraph 11 of this chapter.

(1) If the manual is unsatisfactory:

(a) List reasons for nonacceptance in the Remarks section of FAA Form 7711-2. Sign and date in the Action block of FAA Form 7711-2.

(b) Prepare a letter of nonacceptance (figure 51-6) with a suspense date for submission of a corrected operations manual.

(c) Retain a copy of the manual for future comparison.

(d) Return FAA Form 7711-2, the disapproved operations manual, any supporting documentation, and the letter of nonacceptance to the applicant.

(2) If the manual is satisfactory, stamp each page "Accepted." Sign and date each page.

(3) Prepare a letter of acceptance of the operations manual (figure 51-7).

(4) Continue with the task.

#### *F. Pre-Inspection Activities.*

(1) Contact the applicant by telephone and/or letter to set up a date and time to conduct the facility inspection.

(2) Coordinate with the airworthiness unit to inspect aircraft and engine logbooks, the aircraft weight and balance to see if it has been revised to reflect current equipment, and any special equipment for proper mount or installation (e.g., cameras, gas leak detector devices, helicopter device for powerline voltage readout, etc.).

(3) If a restricted category aircraft will be used, coordinate with the aircraft certification office to attend the facility inspection.

*G. Conduct Facility Inspection.* Use the Part 91 Minimum Safe Altitude Waiver and Facility Inspection Job Aid (figure 51-8) to conduct the facility inspection.

(1) Check pilot certificate and medicals.

(2) Check pilot logbooks for the appropriate en route endorsements.

(3) Ensure that the registration certificate and the airworthiness certificate, as well as a copy of the special operating limitations (restricted category), are on board the aircraft.

#### *H. Unsatisfactory Inspection.*

(1) Brief the operator on the discrepancies found during the inspection.

(2) List the reasons for the unsatisfactory inspection in the Remarks section of FAA Form 7711-2. Sign and date the document in the Action block of FAA Form 7711-2.

(3) Prepare a letter of unsatisfactory inspection (figure 51-9). Include in the letter a date for a follow-up inspection that is 15 days from the date of the letter of disapproval.

(4) Retain a copy of FAA Form 7711-2 to use in the follow-up inspection to ensure that discrepancies found in the initial inspection have been corrected.

(5) Return the application, the operations manual, any supporting documentation, and the letter of disapproval to the applicant.

(6) Make appropriate PTRS entries.

(7) Perform follow-up inspection.



### *I. Satisfactory Inspection.*

(1) Mark the "Approved" block on FAA Form 7711-2. Sign and date in the Action block of FAA Form 7711-2.

(2) Prepare FAA Form 7711-1.

(3) Develop any special provisions from section 1, paragraph 7 of this chapter, and any other provisions deemed necessary in the interest of safety.

(4) If the area of operations indicates that the operator will conduct operations in another FSDO's area, the following shall be included as a special provision: "Operations outside the area of operations authorized in this waiver may be conducted without obtaining an additional certificate of waiver, provided the operations are coordinated in advance with the appropriate FSDO and all special provisions imposed by that office are complied with."

(5) Submit FAA Form 7711-1 to the district office manager, or designated representative, for signature. The designated representative may be no lower than the operations unit supervisor.

*J. District Office File.* Prepare a district office file on the operator that includes, but is not limited to, a copy of the following:

(1) FAA Form 7711-1 and any special provisions;

(2) FAA Form 7711-2;

(3) letter of disapproval of the application;

(4) letter of nonacceptance of the operations manual;

(5) accepted operations manual;

(6) letter indicating an unsatisfactory facility inspection;

(7) completed part 91 job aid (until PTRS entries are complete then discard); and

(8) any other documents of correspondence.

### *K. Waiver Distribution.*

(1) Send the originals of the following documents to the applicant:

(a) FAA Form 7711-1 and any special provisions;

(b) FAA Form 7711-2;

(c) the accepted operations manual; and

(d) the letter of acceptance of the operations manual.

(2) Send a copy of FAA Form 7711-1 and its associated provisions to other FSDO's in whose area the applicant has requested operating authority.

*L. Close PTRS.* Make appropriate PTRS entries.

*M. Vital Information Subsystem (VIS).* Establish a Part 91 Operator VIS record.

**7. TASK OUTCOMES.** Completion of this task results in one or more of the following:

A. A Certificate of Waiver or Authorization.

B. An accepted operations manual.

C. Letter of disapproval of an application.

D. A completed Part 91 Minimum Safe Altitude Waiver and Facility Inspection Job Aid.

E. A letter indicating the nonacceptance of an operations manual.

F. A letter indicating an unsatisfactory facility inspection.

G. Letter indicating acceptance of an operations manual.

### **9. FUTURE ACTIVITIES.**

A. Reissue a Certificate of Waiver or Authorization.

B. Cancellation of a Certificate of Waiver or Authorization.

C. Review revisions to manual.

D. Possible follow-up facility inspection.

E. Possible enforcement investigation.


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**[PAGES 51-15 THRU 51-18 RESERVED]**

# FIGURE 51-1

## FAA FORM 7711-2, APPLICATION FOR A CERTIFICATE OF WAIVER OR AUTHORIZATION

No certificate may be issued unless a completed application form has been received (14 C.F.R. 91.101 and 105).

 <b>US Department of Transportation Federal Aviation Administration</b>		<b>Form Approved: O.M.B. No. 2120-0027</b> <b>APPLICANTS - DO NOT USE THESE SPACES</b>	
<b>APPLICATION FOR CERTIFICATE OF WAIVER OR AUTHORIZATION</b>		Region	Date
		Action <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved - Explain under "Remarks"	
		Signature of authorized FAA representative	
<b>INSTRUCTIONS</b>			
<p>Submit this application in triplicate (3) to any FAA Flight Standards district office.</p> <p>Applicants requesting a Certificate of Waiver or Authorization for an aviation event must complete all the applicable items on this form and attach a properly marked 7.5 series Topographic Quadrangle Map(s), published by the U.S. Geological Survey (scale 1:24,000), of the proposed operating area. The map(s) must include scale depictions of the flightlines, showlines, race courses, and the location of the air event control point, Police dispatch, ambulance, and fire fighting equipment. The applicant may also wish to submit photographs and scale diagrams as supplemental material to assist in the FAA's evaluation of a particular site. Application for a Certificate of Waiver or Authorization must be submitted 45 days prior to the requested date of the event.</p> <p>Applicants requesting a Certificate of Waiver or Authorization for activities other than an aviation event will complete items 1 through 8 only and the certification, item 15, on the reverse.</p>			
1. Name of organization <b>Potomac Power</b>		2. Name of responsible person <b>David Watt</b>	
3. Permanent mailing address	House number and street or route number <b>600 Edison Ave.</b>	City <b>Richmond</b>	State and ZIP code <b>VA 20101</b>
Telephone No. <b>(804) 555-0987</b>			
4. FAR section and number to be waived <b>Section 91.119(b) and (c)</b>			
5. Detailed description of proposed operation (Attach supplement if needed) (The applicant must furnish a detailed description of the operation, e.g. powerline patrol. The applicant may place this description on a separate sheet of paper and attach it to the application.)			
6. Area of operation (Location, altitudes, etc.) (The applicant must include a detailed description of the location, the altitudes, etc. The applicant may attach a map, chart, or other depiction.)			
7a. Beginning (Date and hour) (Self-explanatory)		b. Ending (Date and hour) (Self-explanatory)	
8. Aircraft make and model (a)	Pilot's Name (b)	Certificate number and rating (c)	Home address (Street, City, State) (d)
<b>Cessna 172</b>	<b>Philip Ohm</b>	<b>Commercial 456123789</b>	<b>2345 Chancellorsville Lane Mechanicsburg, VA</b>
(The applicant may submit this information at a later date if known at the time of application; however, the inspector cannot approve the application until receiving this information.)			
(The applicant must sign in Item 15 on the reverse side of FAA Form 7711-2.)			

FAA Form 7711-2 (6-86) Supersedes Previous Edition

**FIGURE 51-2**  
**FAA FORM 7711-1, CERTIFICATE OF WAIVER OR AUTHORIZATION**

<b>U.S. DEPARTMENT OF TRANSPORTATION</b> <b>FEDERAL AVIATION ADMINISTRATION</b>  <b>CERTIFICATE OF WAIVER OR AUTHORIZATION</b>	
<b>ISSUED TO</b> Potomac Power	
<b>ADDRESS</b> 600 Edison Ave., Richmond, VA	
This certificate is issued for the operations specifically described hereinafter. No person shall conduct any operation pursuant to the authority of this certificate except in accordance with the standard and special provisions contained in this certificate, and such other requirements of the Federal Aviation Regulations not specifically waived by this certificate.	
<b>OPERATIONS AUTHORIZED</b> (Describe in detail the operations authorized by the waiver, e.g., powerline patrol. Attach separate sheets of paper if necessary.)	
<b>LIST OF WAIVED REGULATIONS BY SECTION AND TITLE</b> Section 91.119(b) and (c), Minimum Safe Altitudes	
<b>STANDARD PROVISIONS</b>	
1. A copy of the application made for this certificate shall be attached to and become a part hereof. 2. This certificate shall be presented for inspection upon the request of any authorized representative of the Administrator of the Federal Aviation Administration, or of any State or municipal official charged with the duty of enforcing local laws or regulations. 3. The holder of this certificate shall be responsible for the strict observance of the terms and provisions contained herein. 4. This certificate is nontransferable.	
NOTE.—This certificate constitutes a waiver of those Federal rules or regulations specifically referred to above. It does not constitute a waiver of any State law or local ordinance.	
<b>SPECIAL PROVISIONS</b>	
Special Provisions Nos. <u>1</u> to <u>10</u> inclusive, are set forth on the reverse side hereof. <div style="text-align: right;">"See Attached" <input type="checkbox"/></div>	
This certificate is effective from <u>(Beginning date/time)</u> to <u>(Ending date/time)</u> , inclusive, and is subject to cancellation at any time upon notice by the Administrator or his authorized representative.	
BY DIRECTION OF THE ADMINISTRATOR	
(Self-explanatory) _____ (Region)	Signed by the district office manager _____ (Signature)
(Enter the date the waiver was signed) _____ (Date)	but may be delegated no lower than the operations unit supervisor. _____ (Title)

FAA Form 7711-1 (7-74)

**FIGURE 51-3**  
**INSTRUCTIONS FOR COMPLETION OF FAA FORM 7711-2**

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**1. PREPARING FAA FORM 7711-2.** Items from FAA Form 7711-2 are discussed below for purposes of clarity and uniformity of its use. However, not all items on the form may be applicable to the application request. Items 9 through 14 apply to airshow and air race waiver requests only.

**a. Items 1 and 2, Name of Organization/Name of Responsible Person.** If you are a representative of an organization, then the organization's name should appear in Item 1. Your name and title or position, as the organization's representative, for application purposes should appear in Item 2. If you are not representing an organization, the term "N/A" should be entered in Item 1 and your name in Item 2.

**b. Item 3, Permanent Mailing Address.** Self-explanatory.

**c. Item 4, FAR Section and Number to be Waived.** All applicable 14 CFR sections and numbers that are to be waived for the operation to be conducted must be listed in this item. If you are unsure which 14 CFR sections will need to be waived, contact the FSDO for guidance.

**d. Item 5, Detailed Description of Proposed Operations.** It is sufficient to use the term "pipeline patrol," "powerline patrol," etc., for a description. However, additional detailed information may be included.

**e. Item 6, Area of Operation.** A detailed description of any city, town, county, and/or state over which the operations will be conducted and the minimum altitude essential to accomplish the operation should be included in this item. The routes for powerline/pipeline operations must be depicted in cartographic or photographic form. This depiction should include every community, settlement, stadium, or other common gathering place located either side of the route. The depiction should also include the areas where powerlines and phone lines or any other obstructions cross the route.

**f. Item 7, Time Period.** List the beginning dates and hours and the ending dates and hours the operation will be conducted. Maximum time period for operations is 24 calendar months (e.g., June 12, 1996 to June 30, 1998), except for NAFTA operations, in which the maximum time period for operations is 12 calendar months. The application should be submitted to the FSDO at least 45 days before the beginning date of the operation. For a onetime operation, consideration should be given to alternate dates. A request for alternate dates may prevent a delay and/or unnecessary paperwork. These alternate dates should be included in this item.

**g. Item 8, Aircraft Make and Model.** List the names of all pilots, their certificate numbers and ratings, full home address, and all aircraft by make and model that will be used in the operation. If the type of aircraft and/or the names of the pilots are not known at the time the application is submitted, the FAA will accept the application with the statement, "A list containing aircraft and/or pilot information will be furnished on [insert date.]"

**h. Item 9, Sponsorship.** Not required.

**i. Item 10, Permanent Mailing Address of Sponsor.** Not required.

**j. Item 11, Policing.** Not required.

**k. Item 12, Emergency Facilities.** Not required.

**l. Item 13, Air Traffic Control.** Not required.

**m. Item 14, Schedule of Events.** Not required.

**n. Item 15, Certification.** As the applicant or an organization's representative, you must sign in this block and on each page of the application.

**FIGURE 51-4**  
**PART 91 OPERATIONS MANUAL DEVELOPMENT GUIDE**

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The operations manual must contain at least, but is not limited to, the following items:

**1. Area of Operation.**

- a. The area must be depicted cartographically or photographically.
- b. Specific routes must be highlighted and must identify communities, settlements, stadiums, etc., where people may gather within one quarter mile either side of the route. The ingress and egress routes must be identified.
- c. Each hazardous area along each route, such as phone lines, powerlines, cables, towers, etc., must be depicted.

**2. Emergency Procedures.** Specify procedures for emergency notification of company officials when compromise of powerline/pipeline is observed. The manual must describe in detail how the pilot will notify the company officials or ground personnel if it is necessary to safeguard human life. Some examples of acceptable notification would be:

- a. streamer drop; and
- b. radio call or radio monitor by company officials.

**3. Aircraft Certification and Airworthiness.**

- a. List all aircraft according to category - standard, limited, or restricted. All the requirements of §§ 91.7 and 91.203 must be met as applicable.
- b. The manual must describe the inspection program required by parts 43 and 91 for the aircraft being operated. Administrative control of the maintenance inspection program must also be described, including the assignment of duties and responsibilities.

**4. Personnel.** The manual must include the following minimum pilot knowledge and experience requirements:

- a. Each pilot must hold a commercial or airline transport pilot certificate with ratings appropriate to the category and class of airplane to be used.
- b. Each pilot must have 500 hours as PIC.
- c. Each pilot must have 25 hours as PIC in the category and class of aircraft to be used.
- d. The pilot must have 5 hours as PIC of the make and model aircraft to be used in the operation.
- e. If more than one pilot will be used under the terms and conditions of the waiver, the manual must designate a chief pilot. The chief pilot must ensure that all pilots meet the minimum initial flight requirements before acting as PIC under the waiver. The minimum initial flight requirements are as follows:
  - (1) route qualification which includes a flight check over the designated route or routes to be flown and a logbook endorsement reflecting that experience;
  - (2) aircraft performance and limitations;
  - (3) emergency procedures included in the waiver terms and conditions;
  - (4) the contents of the operations manual.
- f. All pilots must be examined through the use of oral and practical testing by annual examination on:
  - (1) route familiarization;
  - (2) aircraft performance and limitations;
  - (3) emergency procedures;

**FIGURE 51-4—Continued**  
**PART 91 OPERATIONS MANUAL DEVELOPMENT GUIDE**

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- (4) the operations manual; and
- (5) terms and conditions of the waiver.

**5. Flight Operations.** The manual must contain a flight operations section covering information necessary for the waiver compliance, including the following:

- a. Weather conditions - limited to VFR.
- b. Operations in controlled airspace - The terms of the waiver may not be exercised in controlled airspace unless authorization has been received by the appropriate air traffic facility.
- c. If the applicant requests operations within less than 500 feet altitude and/or 500 feet lateral clearance, the following procedures must be described:
  - (1) approach and departure path;
  - (2) emergency procedures; and
  - (3) pattern and altitude to be flown which will permit single-engine aircraft to land in an emergency without endangering persons or property on the surface.
- d. A plan for ensuring update of all operations manuals when amendments have been accepted by the FAA FSDO.
- e. An agreement specifying that a copy of the waiver must be on board each aircraft during operation. As a minimum, the manual will be available at the main base of operations and at each satellite base.

**FIGURE 51-5**  
**SAMPLE LETTER OF DISAPPROVAL OF AN APPLICATION**

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FAA Letterhead

[*date*]

[*applicant's name and address*]

Dear [*applicant's name*]:

This letter is to inform you that the application you submitted on [*indicate date*] has been disapproved for the reasons listed in the Remarks section of FAA Form 7711-2.

Please make the corrections noted and return to this office within 15 days of receipt of this letter.

If you have any questions or comments please feel free to contact this office at the following telephone number [*indicate number*].

Sincerely,

[*principal operations inspector's signature*]



**FIGURE 51-6**  
**SAMPLE LETTER OF NONACCEPTANCE OF AN OPERATIONS MANUAL**

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FAA Letterhead

[*date*]

[*applicant's name and address*]

Dear [*applicant's name*]:

This letter is to inform you that the operations manual you submitted on [*indicate date*] has not been accepted for the reasons listed in the Remarks section of FAA Form 7711-2.

Please make the corrections noted and return to this office within 15 days of receipt of this letter.

If you have any questions or comments please feel free to contact this office at the following telephone number [*indicate number*].

Sincerely,

[*principal operations inspector's signature*]

**FIGURE 51-7**  
**SAMPLE LETTER OF ACCEPTANCE OF AN OPERATIONS MANUAL**

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FAA Letterhead

[*date*]

[*applicant's name and address*]

Dear [*applicant's name*]:

This letter is to inform you that the operations manual you submitted with FAA Form 7711-2 on [*indicate date*] has been accepted.

Any revisions to the accepted operations manual must be submitted to this office for review. Revisions should not be distributed before this office has accepted the revisions.

If you have any questions or comments please feel free to contact this office at the following telephone number [*indicate number*].

Sincerely,

[*principal operations inspector's signature*]

**FIGURE 51-8**  
**PART 91 MINIMUM SAFE ALTITUDE WAIVER AND FACILITY INSPECTION JOB AID**

**OPERATOR** \_\_\_\_\_

**LOCATION** \_\_\_\_\_

**DATE COMPLETED** \_\_\_\_\_

CHECK	S	U	N/A
District Office:			
1. Review application, determine if Operations Manual is required.			
2. If not, see a., if yes, see b., below			
a. Brief applicant on:			
(1) Route map, approach/departure paths for single engine			
(2) EPA statement			
(3) Pilot experience requirements for: initial/annual training training records chief pilot duties			
(4) Aircraft category requirements restricted category operating limitations and possible waiver			
(5) Controlled airspace operations			
(6) Pilot notification procedures in the event of special circumstances.			
b. Issue guide for manual development			
3. Review Operations Manual:			
a. Minimum altitude			
b. Area of operation depicts settlements, powerlines, etc.			
c. Aircraft notification			
d. Aircraft inspection program			
e. List of personnel; experience; ratings; fulfills hours requirements; pilot training program			
f. Flight Operations; VFR; flight under 500 feet; flight in controlled air- space; entry and departure paths; special circumstances			
g. Procedures to safeguard human life			
h. Manual status: control page, revision page, changes to manual			
i. List of Special Provisions			
4. Determine applicable "standard" special provisions			

**FIGURE 51-8—Continued****PART 91 MINIMUM SAFE ALTITUDE WAIVER AND FACILITY INSPECTION JOB AID**

<b>PAGE TWO</b>	<b>CHECK</b>	<b>S</b>	<b>U</b>	<b>N/A</b>
5. Base Inspection				
a. Review pilot records/certificates				
(1) Certificate type				
(2) Medical (Class II, current)				
(3) Training records				
(4) Route map - ingress/egress routes				
(5) Special equipment				
6. Develop additional special provisions as needed				

REMARKS:

**FIGURE 51-9**  
**SAMPLE LETTER OF AN UNSATISFACTORY INSPECTION**

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FAA Letterhead

[*date*]

[*applicant's name and address*]

Dear [*applicant's name*]:

This letter is to inform you that the following discrepancies were found during the facility inspection on [*indicate date*]:

[*list discrepancies*]

Please make corrections of the noted discrepancies within 15 days of receipt of this letter. Please notify this office when corrections have been made so that a follow-up inspection can be scheduled.

If you have any questions or comments please feel free to contact this office at the following telephone number [*indicate number*].

Sincerely,

[*principal operations inspector's signature*]

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